

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NO. 97-245-T - ORDER NO. 98-256

APRIL 8, 1998

IN RE: Application of Hilton Head Moving &
Storage, Inc., P. O. Box 811, Bluffton, SC
29910, for a Class E Certificate of Public
Convenience and Necessity.

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This matter comes before the Public Service Commission of South Carolina (the Commission) on the Motion of Hilton Head Moving & Storage, Inc. (Hilton Head or the Company) for an extension to complete the safety rating requirement and obtain a conditional interim Class E Certificate.

On February 5, 1998, the Commission issued Order No. 98-79 in which it granted the Company a Class E Certificate of Public Convenience and Necessity to be issued after certain regulatory requirements were met. As a condition of issuing the Certificate, Hilton Head was required to obtain a proof of safety rating, file insurance information forms, and notify the Commission of its tariff rates within sixty (60) days of issuance of that Order.

The Company has filed the required insurance information and applied for membership in the South Carolina Tariff Bureau, Inc. to meet the rate requirement. However, the Company has been unable to complete its safety audit and obtain a safety rating pursuant to our Regulation 103-133. This Regulation requires the Company to

obtain a satisfactory safety rating from the United States Department of Transportation (U.S.D.O.T.), the South Carolina Department of Highways and Public Transportation (S.C.D.H.P.T.) or the Commission's safety records. The South Carolina Department of Public Safety is the only entity which now audits transportation companies and issues safety ratings.

Hilton Head contacted the Department of Public Safety to perform the safety rating, but was told that there would be a delay of several months before the compliance inspector could meet with the Company to perform the safety audit and issue the safety rating, due to a backlog at that Department.

The Company presently owns one 1995 Chevrolet tiltmaster truck. The truck is twenty-three feet long and has a carrying capacity of one thousand cubic feet or seven thousand pounds. The Company submitted a picture of the truck for our consideration.

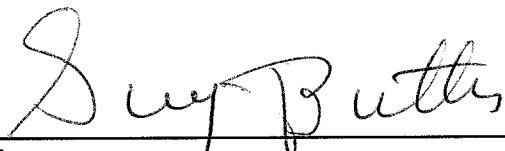
As Hilton Head points out, our Regulation 103-101(2) provides that the rules of the Commission are subject to "such exceptions as may be considered just and reasonable in individual cases when strict compliance produces unusual difficulty and is not in the public interest." The Company requests that this Commission grant it an extension of five months to fulfill its safety audit and rating requirement, and that during the interim, we allow issuance of the Class E certificate on a conditional basis, since strict compliance with our sixty day requirement is impossible, due to the scheduling backlog at the Department of Public Safety.

We have examined this matter, and agree that Regulation 103-133 should be waived for a five month period, due to the great difficulty in complying with this

Regulation. We believe that it is not in the public interest to withhold the Class E Certificate at this time. We therefore rule that the Class E certificate may be issued, but on the condition that the Company undergo the necessary safety audit and rating within that five month period, or, in the alternative, that the Company report back to us by the end of that five month period as to the status of its compliance with this Regulation, at which time, we will re-visit this matter. The five month period will terminate September 7, 1998.

This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:



Chairman

ATTEST:



Executive Director

(SEAL)